

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION

No. 7:07-CR-00050-F-1  
No. 7:16-CV-00099-F

RANDY DARNELL CLINDING,                     )  
   )  
                                  Petitioner,                     )  
   )  
                                  v.                                     )  
   )  
UNITED STATES OF AMERICA,                     )  
   )  
                                  Respondent.                     )

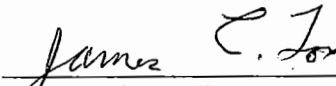
ORDER

This matter is before the court on Randy Darnell Clinding's Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C. § 2255 [DE-28]. Having examined Clinding's motion pursuant to Rule 4(b) of the Rules Governing § 2255 Proceedings, the United States Attorney is DIRECTED to file an Answer pursuant to Rule 5, Rules Governing § 2255 Proceedings, or to make such other response as appropriate to the above-captioned § 2255 motion within **forty (40)** days of the filing of this order.

Clinding asserts challenges based on *Johnson v. United States*, 135 S. Ct. 2551 (2015), and he previously qualified for appointed counsel. Sherri R. Alspaugh with the Office of the Federal Public Defender has been appointed to represent Clinding pursuant to Standing Order No. 15-SO-2 (E.D.N.C. Oct. 16, 2015).

SO ORDERED.

This 11<sup>th</sup> day of May, 2016.

  
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JAMES C. FOX  
SENIOR UNITED STATES DISTRICT JUDGE